

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GEORGE DONATHAN,)	
)	
Plaintiff,)	CV 03-1705-HU
)	
v.)	
)	
JOANNE B. BARNHART,)	ORDER
Commissioner of Social)	
Security,)	
)	
Defendant.)	

Magistrate Judge Dennis James Hubel filed his Findings and Recommendation on February 25, 2005. The matter is now before me pursuant to 28 U.S.C. § 636 (b) (1) (B) and Fed. R. Civ. P. 72 (b). When either party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636 (b) (1) (C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Plaintiff has filed timely objections. I have, therefore, given the file of this case a de novo review. I ADOPT Magistrate Judge Hubel's Findings and Recommendation.

The Commissioner's decision is affirmed and this action is dismissed.

IT IS SO ORDERED.

DATED this 27th day of July, 2005.

/s/ Owen M. Panner

OWEN M. PANNER
U.S. DISTRICT JUDGE